

IDAHO REAL ESTATE APPRAISER BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 4/16/2018

BOARD MEMBERS PRESENT: Paul J Morgan - Chair
H Scott Calhoun
B Jane McClaran
Eric J Brinton
Douglas D Vollmer

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Julie Eavenson, Admin. Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Roger Hales, Naylor and Hales
Eric Nelson, Prosecutor
Cesley Metcalfe, Technical Records Specialist

OTHERS PRESENT: Riley Allen, Licensed Residential Appraiser
Matt Thatcher, Registered Trainee Appraiser

The meeting was called to order at 8:29 AM MDT by Paul J Morgan.

APPROVAL OF MINUTES

Ms. McClaran made a motion to approve the minutes of February 6, 2018 and February 20, 2018. It was seconded by Mr. Brinton. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. The deadline to submit proposed law changes to the Governor's Office is mid-July 2018 and the deadline to submit proposed rule changes to the Governor's Office is mid-August 2018 for the 2019 Legislative Session.

Senate Bill 1316 was introduced in the Senate on February 19. Some designated Board members met with Senators Burgoyne and Den Hartog on February 26 and the Senators said they would like to see comments or proposed amendments. Suggested amendments/comments were provided to them on February 27. Some of the proposed amendments were put into the bill and it

passed the Senate on March 12 and the House on March 21. The Governor let the bill pass without his signature and it will become law July 1.

House Bill 623 passed the House March 6 by a vote of 47-23 and was sent to the Senate. Designated members of Boards served by the Bureau were contacted and reviewed the bill. A letter expressing concerns about House Bill 623 was prepared and signed by 28 of the designated Board members. It was addressed and delivered to Senator Patti Ann Lodge, Chair of the Senate Judiciary and Rules Committee, on March 12. The bill was held in Committee.

Ms. Cory said that an interim committee has been established to study occupational licensing. The Occupational Licensing and Certification Law Interim Committee will meet over the summer.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$545,640.45 as of March 31.

FEE DECREASE DISCUSSION

Ms. Hall presented several options for a fee reduction to members of the Board. The Board had a lengthy discussion regarding the fee decrease.

Mr. Calhoun made a motion for Mr. Hales to draft a proposed rule change for a fee reduction and bring it back to the Board for review at the next meeting. It was seconded by Ms. McClaran. Motion carried.

DISCIPLINE

Mr. Nelson presented a Stipulation and Consent Order in case REA-2017-9. Mr. Vollmer made a motion to approve the Consent Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Calhoun. Motion carried. Mr. Brinton was recused.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Mr. Calhoun made a motion to approve the Bureau's recommendation and authorize closure in case REA-2018-3. It was seconded by Mr. Vollmer. Motion carried.

OLD BUSINESS

The Board reviewed the To Do List and no action was taken.

PROPOSED RULES

Mr. Hales presented the Board with a draft copy of rule changes that would update Idaho requirements for licensure to match the new requirements published by the Appraisal Qualifications Board (AQB). The Board discussed correspondence from an individual who opposed Idaho adopting the qualification changes, but recognized that the changes are necessary to maintain an equivalent qualification standard for issuing temporary permits to appraisers from across state lines.

Ms. McClaran made a motion to approve the draft and submit as temporary rule changes to become effective May 1 and as proposed rule changes for the 2019 Legislative Session. It was seconded by Mr. Brinton. Motion carried.

EXECUTIVE ORDER

The Board reviewed a rough draft of the Executive Order response and directed Ms. Eavenson and the Board specialist to work with Mr. Calhoun to prepare the final draft for review and final approval at the June 18 meeting.

NEW BUSINESS

NOTIFICATION TO LICENSEES

The Board reviewed draft language for a postcard to be sent to licensees. Mr. Vollmer made a motion to approve the draft with changes and review by the Board Chair and to mail to licensees after the temporary rules have been approved by the Governor. It was seconded by Mr. Brinton. Motion carried.

ASSOCIATION OF APPRAISER REGULATORY OFFICIALS (AARO) DUES

Mr. Calhoun made a motion to approve payment of the annual AARO membership dues. It was seconded by Mr. Brinton. Motion carried.

CORRESPONDENCE

The Board reviewed correspondence from an individual who is opposed to Idaho adopting the new AQB qualification standards for real estate appraisal licensure and certification. As the individual was present for the conversation regarding the proposed rule changes, no action was taken.

The Board reviewed correspondence from a trainee supervisor who wants to know if courses taken to meet the education requirement for the certified general

appraiser credential can fulfill the requirements for the certified residential appraiser credential. Mr. Calhoun made a motion for Bureau staff to respond that, based upon communication from The Appraisal Foundation, it appears that this is allowable. It was seconded by Ms. McClaran. Motion carried.

The Board reviewed correspondence from an appraiser with a question regarding the Idaho requirements for appraisal reviews of real estate located in Idaho performed by out of state staff bank reviewers. Mr. Calhoun made a motion for Bureau staff to respond that, based on the recent passage of House Bill 459, an individual would not need to hold an appraiser credential if their task does not meet the definition of an appraisal review. It was seconded by Mr. Brinton. Motion carried.

The Board reviewed information from the Appraisal Subcommittee regarding a recently adopted regulatory change that increases the threshold level at or below which appraisals are not required for commercial transactions from \$250,000 to \$500,000. No action was taken.

EXECUTIVE SESSION

Mr. Calhoun made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Vollmer. The vote was: Mr. Morgan, aye; Mr. Calhoun, aye; Ms. McClaran, aye; Mr. Vollmer, aye; and Mr. Brinton, aye. Motion carried.

Mr. Calhoun made a motion to come out of executive session. It was seconded by Mr. Vollmer. The vote was: Mr. Morgan, aye; Mr. Calhoun, aye; Ms. McClaran, aye; Mr. Vollmer, aye; and Mr. Brinton, aye. Motion carried.

CORRESPONDENCE

Mr. Calhoun made a motion for Bureau staff to respond to an appraiser seeking continuing education credit for a course not specifically approved in Idaho referencing Rule 401.02(d) and remind her that there is no carryover of education hours. It was seconded by Ms. McClaran. Motion carried.

APPLICATIONS

Mr. Calhoun made a motion to approve Elizabeth Krmpotich for the LRA exam. It was seconded by Mr. Vollmer. Motion carried.

Mr. Calhoun made a motion to approve Riley Allen and Matthew Thatcher for the CRA exam. It was seconded by Mr. Vollmer. Motion carried.

AARO CONFERENCE

The Board briefly discussed travel plans for the AARO Spring Conference in May.

NEXT MEETING was scheduled for June 18, 2018 at 8:30 AM.

ADJOURNMENT

Ms. McClaran made a motion to adjourn the meeting at 12:12 PM. It was seconded by Mr. Vollmer. Motion carried.

Paul J Morgan, Chair

H Scott Calhoun

B Jane McClaran

Eric J Brinton

Douglas D Vollmer

Tana Cory, Bureau Chief